

conformed to the standard laid down in the National Formulary, and was not physiologically standardized.

On May 16, 1934, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of \$70 and costs.

M. L. WILSON, *Acting Secretary of Agriculture.*

**22360. Misbranding of Sal Vet. U. S. v. Sal-Vet Products Co. Plea of nolo contendere. Fine, \$200 and costs. (F. & D. no. 30269. Sample no. 9707-A.)**

Examination of a sample of Sal Vet showed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On December 12, 1933, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Sal-Vet Products Co., a corporation, Cleveland, Ohio, alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about May 6, 1932, from the State of Ohio into the State of Virginia, of a quantity of Sal Vet which was misbranded.

Analysis of a sample of the article by this Department showed that it consisted principally of sodium chloride (84.24 percent), sulphur (2.35 percent), magnesium sulphate (2.34 percent), ferrous sulphate (0.85 percent), charcoal, and plant material. It contained no tobacco.

It was alleged in the information that the article was misbranded in that certain statements, designs, and devices appearing on the package label, falsely and fraudulently represented that the article was effective as a worm destroyer and worm expeller in hogs, sheep, horses, cows, or steers; effective to keep hogs and pigs healthy and worm-free; effective to keep milk cows in healthy condition and to enable them to produce the best possible yield; and effective as a treatment for milk cows out of condition.

On May 12, 1934, a plea of nolo contendere was entered on behalf of the defendant company, and the court imposed a fine of \$200 and costs.

M. L. WILSON, *Acting Secretary of Agriculture.*

**22361. Adulteration and alleged misbranding of ammoniated mercury ointment U. S. P. U. S. v. Brunswick Drug Co. Tried to the court. Judgment of guilty on adulteration charge; not guilty on misbranding charge. (F. & D. no. 30283. Sample no. 1319-A.)**

This case was based on an interstate shipment of ammoniated mercury ointment which was represented to be of pharmacopœial standard. Analysis of the article showed that it contained a smaller proportion of ammoniated mercury than provided by the United States Pharmacopœia.

On November 20, 1933, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Brunswick Drug Co., a corporation, Los Angeles, Calif., alleging shipment by said company in violation of the Food and Drugs Act, on or about July 23, 1932, from the State of California into the State of Arizona, of a quantity of ammoniated mercury ointment which was adulterated. The article was labeled in part: "Ammoniated Mercury Ointment U. S. P. Ten Per Cent \* \* \* Brunswick Drug Company, Los Angeles."

It was alleged in count 1 of the information that the article was adulterated in that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the test laid down in the said pharmacopœia official at the time of investigation, in that it contained less than 10 grams of ammoniated mercury, namely, not more than 6.6 grams of ammoniated mercury; whereas the pharmacopœia provides that ointment of ammoniated mercury shall contain not less than 10 grams of ammoniated mercury and the standard of strength, quality, and purity of the article was not declared on the container. Adulteration was alleged for the further reason that the strength and purity of the article fell below the professed standard and quality under which it was sold.

It was alleged in count 2 of the information that the article was misbranded in that the statements, "One Ounce Ammoniated Mercury U. S. P. Ten Per Cent," and "Each Ounce Contains 43.8 grains of Ammoniated Mercury", borne on the carton and tube labels, were false and misleading, since the article did not conform to the standard laid down in the United States Pharmacopœia, and each ounce did not contain 10 percent of ammoniated mercury, or 43.8 grains of ammoniated mercury, but did contain less amounts.

On May 1, 1934, a jury having been waived and a plea of not guilty having been entered on behalf of the defendant company, the case came on for trial before the court. On May 2, 1934, the taking of testimony having been completed, the court adjudged the defendant company guilty on the first count and imposed a fine of \$200, and not guilty on the second count.

M. L. WILSON, *Acting Secretary of Agriculture.*

**22362. Misbranding of O. J.'s Beauty Lotion. U. S. v. 172 Packages of O. J.'s Beauty Lotion. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31271. Sample no. 17983-A.)**

Examination of a sample of O. J.'s Beauty Lotion showed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On October 28, 1933, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 172 packages of O. J.'s Beauty Lotion at Beaumont, Tex., alleging that the article had been shipped in interstate commerce, on or about September 15, 1933, by O. J.'s Beauty Lotion Co., Inc., from Shreveport, La., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of water, alcohol (32.8 percent), and small quantities of mercuric chloride, zinc sulphate, salicylic acid, and witch hazel.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the article, appearing in the labeling, were false and fraudulent: (Carton and bottle) "Will positively remove Pimples \* \* \* Liver Spots \* \* \* and other Facial Blemishes. \* \* \* Stimulates Circulation Nourishes Skin Tissues"; (circular) "Obstinate cases, even eczema, respond amazingly. \* \* \* comes to the rescue by purging the complexion of disfiguring pimples \* \* \* Liver-spots and other facial blemishes. \* \* \* for abrasions which might be followed by infection \* \* \* prevents soreness and pimples caused by close shaving. \* \* \* Dandruff \* \* \* For eczema, ring worm, tetter. \* \* \* itch and all skin pimples or other skin infections \* \* \* If your skin has any disease or impurity beneath the surface, do not be alarmed if this Lotion draws it to the surface, for this it will certainly do, as it is the only way to obtain satisfactory results."

On March 22, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

**22363. Misbranding of Musbro Skin Ointment. U. S. v. 103 Jars of Musbro Skin Ointment. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31311. Sample nos. 21388-A, 21389-A.)**

Examination of a sample of Musbro Skin Ointment showed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On November 2, 1933, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 103 jars of Musbro Skin Ointment at Englewood, N. J., alleging that the article had been shipped in interstate commerce, on or about May 3, 1933, by the Standard Veterinary Products Co., from New York, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted of petrolatum, sulphur, and a fatty material of the nature of lard.

It was alleged in the libel that the article was misbranded in that the following statement regarding its curative and therapeutic effect, borne on the jar label, was false and fraudulent: "A sedative and healing ointment for eczema." The libel also charged a violation of the Insecticide Act of 1910, reported in Notice of Judgment no. 1323, published under that act.

On July 20, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*